

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

John C. Jaeger

Confirmation: 6802

Serial No.: 10/773, 346

Group Art Unit: 3733

Filed: February 9, 2004

Examiner: Anuradha
Ramana

For: SPECULUM

Response to Notification of Non-Compliant Appeal Brief

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the notification of non-compliant appeal brief dated June 22, 2009, it is requested that Section VI of the appeal brief filed in the above matter be deleted and the following be inserted:

Claims 33 through 35, 37 through 39 and 41 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,916,151 to Charters. Claim 40 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Charters.

Applicant regrets the cited error in the statement of the grounds of rejection presented on review.

Respectfully submitted,



Peter N. Lalos
Registration No. 19,789

Date: July 14, 2009